

**3592. Misbranding of P. F. Paula Fraser tablets. U. S. v. 33-Cases \* \* \*.**  
(F. D. C. No. 31182. Sample No. 21072-L.)

**LABEL FILED:** June 8, 1951, Western District of Texas.

**ALLEGED SHIPMENT:** In the early part of 1950 and on or about April 25, 1951, from Los Angeles, Calif.

**PRODUCT:** 33 cases, each containing 144 84-tablet vials, of *P. F. Paula Fraser tablets* at San Antonio, Tex., in the possession of Rowell & Rowell, Inc. Analysis showed that the product consisted essentially of aspirin and calcium glutamate.

**RESULTS OF INVESTIGATION:** There were in possession of the consignee approximately 30,000 copies of a form letter which were printed locally and which related to the product.

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements in the form letter were false and misleading since the statements represented and suggested that the article was an adequate and effective treatment for pain, swelling, and rigidity of the joints, pains and aches in the muscles, arthritis, neuritis, rheumatism, and lumbago, whereas it was not an adequate and effective treatment for such conditions. The article was misbranded while held for sale after shipment in interstate commerce.

**DISPOSITION:** September 8, 1951. Rowell & Rowell, Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling, under the supervision of the Federal Security Agency.

**3593. Misbranding of Elemin tablets and G & J Formula No. 701 (or 601) tablets. U. S. v. 10 Cases, etc. (F. D. C. No. 31219. Sample Nos. 18868-L, 18869-L.)**

**LABEL FILED:** June 27, 1951, Northern District of Iowa.

**ALLEGED SHIPMENT:** On or about March 10, April 17 and 18, and May 3, 1951, by the G & J Distributors, from Berkeley, Calif.

**PRODUCT:** 10 cases, each containing 12 700-tablet bottles, and 2 cases, each containing 24 120-tablet bottles, of *Elemin tablets*, and 10 cases, each containing 12 350-tablet bottles, and 2 cases, each containing 24 120-tablet bottles, of *G & J Formula No. 701 (or 601) tablets*, at Fort Dodge, Iowa, together with certain accompanying printed matter.

The printed matter consisted of a number of copies of a booklet entitled "Sales Manual, Nutritional Products, Elemin Minerals, G & J Multiple Vitamins"; a book entitled "Health from the Ground Up" by the International Harvester Co.; a booklet entitled "Facts You Should Know," including Senate document No. 264, 74th Congress, Second Session, entitled "Modern Miracle Men" by Rex Beach; a brochure entitled "Soil—A Foundation of Health" published by the International Harvester Co.; a book entitled "The National Malnutrition" by D. T. Quigley, M. D.; and leaflets entitled "Elemin Mineral Tablets," "Its Later Than You Think, Watch Your Diet, Mineralize—Vitaminize," "Composite analysis derived from the reports of the following laboratories," and "The Following is a Reprint of a Published Article for Informative and Educational Purposes Only."

**LABEL, IN PART:** (Bottles) "Elemin \* \* \* Contains: Iodine and Iron as naturally present in dehydrated kelp, iron gluconate and a sedimentary mineral deposit, with excipients and color added to sugar coating. Manufactured for Morgen & Bush, Inc. \* \* \* Bakersfield, Calif." and "G & J Formula No. 701 (or 601) Each 2 Tablets Will Supply: Vitamin A (Fish Liver Oils) 5,000 U. S. P. Units Vitamin D (Irradiated Ergosterol) 1,000 U. S. P. Units Vitamin B<sub>1</sub> (Thiamin Hcl and Yeast) 3.0 Mg. Vitamin B<sub>2</sub> (Riboflavin) 2.0 Mg. Vitamin B<sub>6</sub> (Pyridoxine Hcl) 1.0 Mg. Vitamin B<sub>12</sub> 1.0 Mcg. Vitamin C (Ascorbic Acid) 50.0 Mg. Vitamin E (Mixed Tocopherol) 3.0 Mg. Niacin 20.0 Mg. Calcium Panthothenate 5.0 Mg. Concentrated Beef Liver Extract 65.0 Mg. \* \* \* Mfd. for and Dist. by G & J Distributors \* \* \* Berkeley 4, California."

**NATURE OF CHARGE:** Misbranding, Section 502 (a), certain statements in the printed matter accompanying the articles were false and misleading. The statements represented and suggested that the articles supplied a universal need; that clay, described as "sedimentary mineral deposit" and denominated "panaca," used as an ingredient in the article, "Elemin Tablets," contributed significantly to the diet of the user; that ordinary foods, because of soil depletion and processing, do not supply the need for vitamins and minerals so that supplementation of the usual diet is essential; that ninety-nine percent of the American people are deficient in minerals, resulting in disease, suffering, and shortening of life; that the symptoms, conditions, and diseases that beset the human body most commonly result from dietary deficiencies, and such symptoms, conditions, and diseases could be prevented and adequately treated by the use of *Elemin tablets* and *G & J Formula No. 701 (or 601) tablets*; that the articles would be effective in the prevention and treatment of all sorts of discomfort, soreness, pain and stiffness, all infections, infections of the upper respiratory tract, including colds, grippe, and pneumonia, brain infections, chronic constitutional ailments, diseases of the adenoids, tonsils, digestive organs, lungs, blood vessels, skeleton, and gums, degenerative diseases, venereal diseases, nerve and brain diseases including insanity, stupidity in children, heart diseases including rheumatic heart disease, periodontal diseases, tooth decay, pyorrhea, arthritis, rheumatic fever, tuberculosis, pimples, constipation, neuroses, irritability, chronic gastritis, stomach and duodenal ulcers, stomach cancer, osteomalacia, nephritis, arteriolosclerosis, skeletal weakness, and all ailments and afflictions to which people may become heir; and that consumption of the articles would eliminate 70 to 80 percent of present-day diseases, bring to an end susceptibility to, and afford immunity from, infection, extend the average age to well over 100 years, and result in good health, happiness, and contentment. The articles were not capable of fulfilling the promises of benefit made for them; they were not effective in the prevention and treatment of the symptoms, diseases, and conditions stated and implied; and the impression conveyed by the statements was contrary to fact.

The articles were alleged also to be misbranded under the provisions of the law applicable to foods, as reported in notices of judgment on foods.

**DISPOSITION:** July 28, 1951. Default decree of condemnation and destruction.